

Appln. No. 09/806,738
Amendment dated September 10, 2004
Reply to Office Action of July 15, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The July 15, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claim 1 is amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claim 1 is allowable over the prior art of record is acknowledged and appreciated.

CLAIM OBJECTIONS

In the Office Action claim 1 is objected to because of certain informalities. In response, claim 1 is amended in a sincere effort to address and overcome each of the items mentioned by the Examiner on pages 5-6 of the Office Action. No new matter is added.

Appln. No. 09/806,738
 Amendment dated September 10, 2004
 Reply to Office Action of July 15, 2004

INFORMATION DISCLOSURE STATEMENT

Attached to the July 15, 2004 Office Action was a copy of a Form PTO-1449 dated April 4, 2001 wherein each of the references identified thereon were crossed out by the Examiner. After receiving the Office Action, Applicant's attorney, Robert Michal, contacted Examiner Gerezgiher to inquire as to why the references had been crossed out. Thereafter, after obtaining the Patent Office file, the Examiner discovered that the references identified on the Form PTO-1449 dated April 4, 2001 were in the Patent Office file. The Examiner considered the references and transmitted an initialed copy of the Form PTO-1449 to Applicant's attorney to confirm that the references listed thereon have been considered and have been made of record in connection with this application.

* * * * *


Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Appln. No. 09/806,738
Amendment dated September 10, 2004
Reply to Office Action of July 15, 2004

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Robert P. Michal
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2032
Tel. (212) 319-4900
Fax (212) 319-5101
RPM/ms